

UNITED STATES OF AMERICA
 NATIONAL TRANSPORTATION SAFETY BOARD
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

MV ETHAN ALLEN,
 LAKE GEORGE, NEW YORK,
 OCTOBER 2, 2005

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 * Docket No.: DCA 06 MM 001
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Interview of: RICHARD PARIS

Fort William Henry Resort and
 Conference Center
 Lake George, NY

Tuesday,
 October 11, 2005

The above-captioned matter convened, pursuant to
 notice, at 9:30 a.m.

BEFORE: MORGAN TURRELL

APPEARANCES:

MORGAN TURRELL
National Transportation Safety Board

SGT. WALTER SCHEDEL
New York State Park Police

SEAN QUIRK
Shoreline Cruises

MATTHEW QUIRK
Shoreline Cruises

JIM QUIRK
Shoreline Cruises

MAURICE ALDRIDGE
Warren County Sheriff's Office

Also Present:

KEVIN HICKEY
Attorney for Mr. Paris

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I N T E R V I E W

(9:30 a.m.)

MR. TURRELL: Good morning. It's October 11th, Tuesday morning. We're in the Fort William Henry Resort with Richard Paris. It's 9:30 in the morning. Morgan Turrell, NTSB.

And to my left over here.

MR. J. QUIRK: Jim Quirk, Shoreline.

MR. S. QUIRK: Sean Quirk, Shoreline Cruises.

MR. PARIS: Richard Paris, Captain, Shoreline.

MR. HICKEY: Kevin Hickey from O'Connell and Rollins (ph.), representing Mr. Paris and Shoreline.

MR. ALDRICH: Investigator Mo Aldrich for the Warren County Sheriff's.

SGT. SCHEDEL: Sergeant Walt Schedel, New York State Park Police.

INTERVIEW OF RICHARD PARIS

BY MR. TURRELL:

Q. Okay, Captain Paris, if you would acknowledge you're being recorded, this will be a public statement.

A. I acknowledge that.

Q. Okay, Richard, can you just -- we'd like a narrative of the morning when you came to work from the first time you came to Shoreline, and just step us through everything you did that day in your own words.

1 A. This is the morning of --

2 Q. The morning of --

3 A. -- the accident?

4 Q. -- October 2nd, on Sunday, from the time you woke up.

5 Just step us through with as much detail as possible of what

6 you saw, what you heard, everything you did from your own

7 perspective.

8 A. Well, when I got there, I was going to check the

9 engine, do our normal routine checks.

10 Q. And what time was this?

11 A. Oh, boy, probably be 10:30 or so.

12 Q. So you arrived at -- started work at 10:30?

13 A. Roughly.

14 Q. Okay. So go ahead. You arrived at work. I

15 interrupted you. Go ahead.

16 A. Then I think I had a cruise that day before the bus,

17 didn't I, Jim?

18 MR. J. QUIRK: Do you want me to answer, Morgan?

19 MR. TURRELL: Go ahead, if you can help?

20 BY MR. J. QUIRK:

21 Q. As far as you can remember, weren't you the A captain

22 that day?

23 A. I was the A captain that day.

24 Q. So you had, I believe, a 10:30 --

25 A. I did have a 10:30 cruise. That was just off the

1 street, wasn't a charter.

2 Q. I think, if I remember right, it only had about two
3 passengers?

4 A. Yeah.

5 Q. So you must have arrived prior to 10:30.

6 A. Well, all right, make it 10, because I did -- well,
7 excuse me. I was going to check the engines, and your brother
8 Hugh said he had already checked them, but I checked them
9 again. So the boat was checked twice, the same routine.

10 Q. Okay.

11 BY MR. TURRELL:

12 Q. Okay. So you arrived at 10, and when you arrived at
13 work there just in your own recollection, step us through what
14 you did and who you spoke to, and -- you were taking a cruise?

15 A. Yeah, I had -- it was two or three. It was very
16 small, off the street.

17 Q. And this was on the Ethan Allen?

18 A. On the Ethan Allen.

19 Q. Okay.

20 A. It was a normal, one-hour cruise.

21 Q. Okay. And you just mentioned that Hugh Quirk had
22 checked the --

23 A. He told me he checked them. That's after I checked
24 them. I didn't know he had done it previously. But doesn't
25 matter. They got checked twice.

1 Q. Okay. So would you just go ahead and step us through
2 the actual -- what you actually did checking the engines that
3 day or checking the boat over? Can you recall --

4 A. First thing you do is slide the engine hatch over.

5 Q. Okay.

6 A. And that engine you can check without climbing down
7 into it as far as the fuel oil, lubricating oil is concerned,
8 checked that to see if it needs any oil and the coolant.

9 Q. Okay.

10 A. And then I went back to the small hatch to get down
11 to check. You can't reach the transmission from that. You
12 have to go down in there and check the transmission fluid
13 levels.

14 Q. That's the after hatch?

15 A. Yes.

16 Q. Okay. So when you arrived on the boat was the engine
17 running?

18 A. No. It was cold. It hadn't run.

19 Q. Okay. Do you know if you can actually check the
20 bilges with the engine running or not?

21 A. You can see by sight, yes. But we always glance at
22 that anyway. It's one of the first things when you slide the
23 hatch back and you get little light in there from outside, you
24 can see if there's excessive fluid in the bilge just by looking
25 down.

1 Q. And so did you check, you checked the engine
2 compartment and the after compartment --

3 A. Right.

4 Q. -- for water. Did you check the forward compartment?

5 A. No.

6 Q. Do you normally check the forward compartment?

7 A. Once in a great while, but I've never seen any water
8 in there except maybe a little bit of rainwater, if the windows
9 have been left up during the night and it rains, sometimes
10 they'll get, you know, if it's windy, they'll get rain coming
11 in through the open windows, and that's --

12 Q. Okay.

13 A. -- it's not leakage. It's just rainwater. Sits on
14 the deck. And there are ways for it to get down and through
15 the hatches. They're not airtight.

16 Q. Uh-huh.

17 A. There's a hatch -- forward too.

18 Q. Okay. So the two hatches you did check were the
19 engine hatch and the after hatch, is that correct?

20 A. Well, at that -- actually it's all one compartment.

21 Q. Okay.

22 A. But you can't reach the transmission from up here.

23 Q. Right.

24 A. Unless you're a contortionist or my age, one of the
25 other. So you have to go the easy way to get down in there.

1 Q. Okay. So at what point did you actually start the
2 engine? Do you recall?

3 A. Right after I checked. That's my next step. And the
4 first thing I do, start it up, look at the gauges, make sure
5 they're registering all right, go around the stern of the boat
6 on the outside and make sure she's pumping water.

7 Q. And the boat was exhausting water out of --

8 A. Oh, yeah.

9 Q. And how many different ports does the boat normally
10 exhaust water?

11 A. Just one.

12 Q. And that's through the main exhaust, is that correct?

13 A. Right.

14 Q. And was it exhausting water?

15 A. Yes. You have to give it a few seconds for the pump
16 to pick it up and --

17 Q. Was it exhausting the normal amount of water?

18 A. Yes.

19 Q. Any discoloration of the exhaust at all?

20 A. No.

21 Q. Okay. Did you hear any strange sounds or anything,
22 anything abnormal at all?

23 A. No, nothing. With the engine it sounded the way it
24 always sounds.

25 Q. Okay.

1 A. It's an old engine and it's noisier than our new
2 engine, our two new engines on the other boats. That's
3 understandable.

4 Q. This is -- well, this is an older engine you say?

5 A. Yeah, that's an old Cummings (ph.) in the Ethan
6 Allen. It was used when we got it, I believe. But the two new
7 ones have those new Suzie diesels in it. They're a lot
8 quieter.

9 Q. Okay. Okay. We understand that the water pump was
10 changed earlier in the season.

11 A. It could have been.

12 Q. You don't --

13 A. I --

14 Q. You --

15 A. -- can't tell you. You'd have to ask one of the
16 mechanics or --

17 Q. So were you aware of the water pump being changed at
18 all?

19 A. No.

20 Q. Okay. Do you, do you recall who the other captains
21 were that season on the boat that operated the Ethan Allen on a
22 regular basis?

23 A. Frank Antos.

24 Q. Okay.

25 A. Don Smith runs (indiscernible) occasionally. Bill

1 Perry.

2 Q. Okay.

3 A. Myself. I don't think I've forgotten anyone.

4 Q. Okay. Have you ever had a failure when riding one of
5 these three boats, the Algonquin, the de Champlain, the Ethan
6 Allen? Have you ever experienced any sort of failure that you
7 needed to report to James or --

8 A. You mean out on the water?

9 Q. Yes. Some sort of casualty or failure.

10 A. I can't recall one, no.

11 Q. If you had experienced one, who would you, who would
12 you report it to first?

13 A. Oh, either maybe to Jim Quirk or Matt or Dennis, who
14 used to be the marina manager, or one of the mechanics that
15 work over there --

16 Q. Okay.

17 A. -- salesroom.

18 Q. Okay. Did you ever involve yourself in the -- is it
19 Lake George Association with the kids' cruises? Did you ever
20 take those out?

21 A. I've taken a few, but we have one captain, Frank
22 Antos, who usually does them. I've had a few on occasion only
23 because for some reason they couldn't schedule Frank or
24 something.

25 Q. Sure. I don't recall asking you before. Do you

1 operate also the other two boats, the de Champlain and the
2 Algonquin? Do you --

3 A. Oh, yes.

4 Q. And have you ever experienced a failure on one of
5 those boats?

6 A. No. I think I stated before the Algonquin is usually
7 used -- saved just for small charters.

8 Q. Sure.

9 A. 30 people or less, because it's set up for charter
10 work.

11 Q. Right.

12 A. And it -- I assume you've been on it, see how it's
13 set up. So we usually just use the two, but if a real busy
14 day, we have put the Algonquin in service to do the one -- one-
15 hour tourists.

16 Q. Okay. And have you ever had a problem with a
17 passenger, either a passenger injury or somewhere where you had
18 to get a passenger off prior to return to Shoreline?

19 A. No. Not on the one-hour tours.

20 Q. Any other --

21 A. One year I did on the Defiance.

22 Q. Okay.

23 A. My bartender came up and he said we -- I think we
24 have a guy having a heart attack down there.

25 Q. Okay.

1 A. And I got on the radio, called (indiscernible) and
2 told him to call -- my location was -- over Dunham's Bay. I'm
3 not sure if you know where that is, but that's -- I was closest
4 to that, and the North Queensbury Rescue Squad.

5 Q. Okay.

6 A. This is before we had 911.

7 Q. Right.

8 A. And I --

9 Q. That was awhile ago.

10 A. Yeah. Awhile. I go back awhile. I told the girl in
11 the booth, what I needed, who was to report, where I was going
12 to go in to Dunham's dock with the Defiance, and -- in fact I
13 was right near Diamond Island, so I scooted probably I broke
14 the five-mile-an-hour law in Dunham's Bay, but first things
15 first here. This could have been emergency. And I had the
16 girl repeat everything I said back, so she got it right, and
17 she called, and she said every -- called me back and said
18 everything you told me, everybody's been notified, and they'll
19 be waiting for you to get in there.

20 Q. Okay. Now going back to, to this day, you took the
21 10:30 trip, which is a one-hour trip.

22 A. One hour.

23 Q. And did you experience any difficulties maneuvering
24 the boat or --

25 A. No.

1 Q. -- handling the boat? Did you by chance hear any
2 noises from the engine that were different?

3 A. Nothing that was different than the usual.

4 Q. Did you at the end of the cruise, did you check the
5 engine compartment or, or bilges or anything like that?

6 A. No.

7 Q. Okay. Do you normally -- so you returned at 11:30,
8 is that about right?

9 A. (indiscernible) 11:30.

10 Q. And after returning at 11:30, did you leave the motor
11 running or did you --

12 A. No, no. We shut it off.

13 Q. You shut it off.

14 A. In fact, I shut it off before I unload.

15 Q. Okay.

16 A. We all do. We don't leave the boat running while
17 we're getting people on or off.

18 Q. So to your knowledge, by 11:30, the Ethan Allen had
19 run for one hour that day?

20 A. Uh-huh.

21 Q. Okay. And then when, when did the boat go out next?
22 11:30 you returned. You shut the motor off.

23 A. Yes. I believe it was my charter was my next one. I
24 don't remember making a second one-hour.

25 Q. Okay.

1 UNIDENTIFIED SPEAKER: I don't remember it either.

2 MR. PARIS: I can't.

3 BY MR. TURRELL:

4 Q. Okay. So this would take us now to around the 2
5 o'clock timeframe?

6 A. Yeah.

7 Q. Okay. So at 2, 2 o'clock in the afternoon on Sunday,
8 October 2nd, the boat hadn't gone out at all?

9 A. Hadn't gone out again.

10 Q. Okay, so then --

11 A. To my knowledge.

12 Q. -- around 2:30 or so.

13 A. My bus came.

14 Q. Okay.

15 A. I said before --

16 Q. Okay.

17 A. -- there were two buses.

18 Q. Okay.

19 A. And we were supposed to go out three to four, but my
20 bus got there about 2:30, and I think the tour director said
21 we're ready, we can go now, if you want to, so I said, sure.

22 Q. Now do you recall if both buses were going to be
23 full? Was there going to be two full loads?

24 A. I don't know how many were on the other bus. I had
25 no idea how many people, people he took out. I didn't see him

1 for the rest of the day.

2 Q. Okay. So the bus came early, and you boarded your
3 passengers?

4 A. Right.

5 Q. At what point did you start the engine before you
6 went out?

7 A. Soon as everybody was on.

8 Q. Okay.

9 A. I left, if I remember correctly, about 20 minutes to
10 3.

11 Q. So you started the motor around 2:40 then?

12 A. Roughly. Give or take, yeah. Again, check the
13 exhaust, make sure she's pumping. I always do that.

14 Q. Okay.

15 A. Before every trip I make. If I make five trips a
16 day, I -- soon as I start the engine, I make sure -- the pump
17 is working.

18 Q. And did you just eyeball the bilges again at this
19 point?

20 A. No.

21 Q. Okay. So you were proceeding -- I retraced your path
22 yesterday, and I have a better idea of the track you were
23 taking. Take us to just approaching Cramer's Point. Can you
24 just -- in as much detail as possible describe what happened to
25 you just before the boat capsized or turned --

1 A. I had gone in close to shore a little bit because I
2 think as I said before there are a couple of fairly nice camps,
3 and I wanted to give them a little view of it. And as soon as
4 I got where I had to make, start my turn --

5 Q. Okay.

6 A. -- I just swung, just started to go right with the
7 wheel, and that's when that wave slammed me on the stern.

8 Q. And what, what actions did you take at that point?

9 A. Well, as I say, I cut the wheel. I didn't have time.
10 This, again we're talking seconds here, to get it all the way
11 over, the rudder all the way over before I got hit, and that
12 wave, angle it was coming it, it follows right down the
13 starboard side of the boat. So eventually it had caught the
14 whole boat.

15 Q. Okay. So did you -- did the rudder as best
16 (indiscernible) turn actually make the stops or hit the stops?
17 Did you --

18 A. No. I never got it all the way over.

19 Q. Never got --

20 A. No.

21 Q. Are there -- is there a hard stop on the rudder when
22 you --

23 A. It will stop, yes, but it's probably at least two
24 complete turns before -- get that far.

25 Q. And you made those two complete turns in rapid

1 succession, would you say?

2 A. I didn't have a chance to do them on this instance.

3 Q. Okay.

4 A. No.

5 Q. So normally, normally the full stop would be two
6 complete turns, that's the normal full range?

7 A. Yeah. It depends how much you're turning. If you're
8 just -- out a little -- you don't put it all the way over.

9 Q. No, of course. The full --

10 A. Yeah.

11 Q. -- travel two complete turns.

12 A. You know the only time you really put it over full
13 travel either port or starboard is when you're docking.

14 Q. Okay.

15 A. If you get a little tricky wind there and --

16 Q. Okay, so how, how much, how many turns do you think
17 you made before the boat actually --

18 A. I would say maybe half or three-quarters of a turn at
19 the most.

20 Q. And do you recall how the boat responded at that
21 point when you started making the turn?

22 A. Well, before the wave?

23 Q. Before the wave.

24 A. Okay, this --

25 Q. You, you --

1 A. -- was almost --

2 Q. You saw the wave.

3 A. That boat won't lean when you're turning.

4 Q. Okay.

5 A. I don't care how many people are on it. They won't
6 lean over.

7 Q. Okay.

8 A. From that. You know, like a runabout will lean into
9 the turn, well, these boats don't lean in or out really.

10 Q. Okay.

11 A. Unless you really had to whip it for an -- all the
12 way for your two, two and a half turns, whatever it is.

13 Q. Okay.

14 A. And I'm not too sure they would lean over that way
15 either. Maybe very minimal.

16 Q. Okay. So you saw the wave coming on your starboard
17 quarter, and then you started to make the turn with the wheel,
18 and you made a half to three-quarters of a turn --

19 A. Yes, and that's when I got slammed.

20 Q. Okay. Okay. And at that point, do you recall seeing
21 the passengers, what happened to the passengers?

22 A. Well, when the, the -- starboard started leaning then
23 because of the wave.

24 Q. Okay. So the port side, the rail went down --

25 A. Hopefully it was going to stop there and go back.

1 Q. Okay.

2 A. You know, like roll over the wave.

3 Q. Right.

4 A. And it just kept going because it got at such an
5 angle the people that were seated on the starboard side slid
6 off the benches and they all went over to the port side. And
7 as far as I'm concerned, that's the reason it kept going over.
8 All the weight I had was all on the one side, and that's the
9 side that it was rolling on, towards the --

10 Q. Okay. The best you can recall, do you remember
11 everybody on the starboard side went over or most of them?

12 A. From what I could see, I'd say most of them did,
13 yeah.

14 Q. Okay. Do you recall if any didn't or did not?

15 A. I can't really -- again, this thing, the whole thing
16 happened within at the most five seconds.

17 Q. Okay.

18 A. It was over so fast.

19 Q. Okay. Do you recall anyone on the port side when the
20 boat started tipping at what point people entered the water?
21 Did anyone fall into the water before --

22 A. No.

23 Q. -- the boat actually --

24 A. No. I would say, my guess is maybe when it was
25 completely on its side.

1 Q. Okay.

2 A. This way.

3 Q. Right.

4 A. Because those windows would have been -- open windows
5 would have been under water.

6 Q. Right.

7 A. So I'm sure some went out. I don't --

8 Q. Okay. And also recount how you exited the boat, how
9 is it you ended up in the water?

10 A. I went out the starboard side because there's that --
11 you've seen the boats, how --

12 Q. Yes.

13 A. -- the gate is situated where -- I would sit.

14 Q. Right.

15 A. And that's -- I don't know, by climbing or just -- I
16 didn't get thrown out.

17 Q. The boat was inverted at this point?

18 A. It was starting to go all the way over, and I sort of
19 like climbed over.

20 Q. Okay, so you crawled out the starboard --

21 A. Yeah.

22 Q. -- side actually.

23 A. Very quickly.

24 Q. I'd like to ask you to go -- to -- more detailed
25 questions about your -- the human performance questions I asked

1 you before, and I think I've got a pretty good idea of your
2 sleep pattern and your medications you were taking. I would
3 like to get more detail about any -- you mentioned that you had
4 one or two beers a week, and you also mentioned you didn't have
5 a history of alcoholism. Can you elaborate on that anymore?

6 A. I might have more than two a week, but it's -- you
7 know over a course of a week, I know people that have a few
8 when they get home from work, more than that, you know, every
9 night.

10 Q. Have you ever lost a job due to alcoholism --

11 A. No.

12 Q. -- or any --

13 A. No.

14 Q. Okay. So there's no history of alcoholism in your
15 background whatsoever?

16 A. None whatsoever, none in my family.

17 Q. And in your particular personal background.

18 A. None.

19 Q. Okay. And I think I asked you before about how --
20 did you consume any alcohol after the accident, and you said
21 that you -- the last time you consumed alcohol was Thursday
22 before the accident. And can you remember if, if -- do you
23 recall if that's true?

24 A. I believe it was Thursday.

25 Q. Thursday?

1 A. Yeah.

2 Q. So there was no -- the last time you used alcohol
3 before the accident was Thursday?

4 A. No, Saturday I think I had glass of wine. I think I
5 said we went to my -- went out for dinner and that's -- I
6 always have a glass of wine with the meal. And that was a
7 glass of wine.

8 Q. Okay. And do you recall where that was that you went
9 out to dinner?

10 A. I believe it was the Log Jam?

11 Q. Log Jam?

12 A. Yeah. I was thinking it was (indiscernible). It
13 wasn't (indiscernible). Log Jam.

14 Q. And after the accident, after Sunday, October 2nd
15 around 3 o'clock, had you consumed any alcohol up to the point
16 where the NTSB collected a sample from you?

17 A. Was that a Tuesday?

18 Q. I believe we collected it on Wednesday, I believe.

19 A. Wednesday?

20 UNIDENTIFIED SPEAKER: I think it was Tuesday.

21 MR. TURRELL: Tuesday?

22 UNIDENTIFIED SPEAKER: Yes, I --

23 MR. PARIS: I'm not sure.

24 BY MR. TURRELL:

25 Q. Let's just --

1 A. Yeah.

2 Q. -- you didn't consume any alcohol from the time of
3 the accident until the time we collected any, any samples from
4 you?

5 A. I'm trying to think when you notified me that Tuesday
6 that we were going to -- did you notify me Tuesday or before?

7 Q. I spoke to you on Monday morning.

8 A. Monday morning. Then no, no, no.

9 Q. So no alcohol --

10 A. No alcohol.

11 Q. -- from the time of the accident until --

12 A. No.

13 Q. -- we tested you.

14 A. As soon as you told me that it was Tuesday that we
15 were going to -- I was going to have blood taken I, I wouldn't.

16 Q. Did you consume any alcohol from the time of the
17 accident until you were tested?

18 A. No. I -- that would have to have been Sunday night,
19 and I went directly home.

20 Q. Okay.

21 A. I couldn't have filled a glass I --

22 Q. And then on Monday and the Tuesday.

23 A. Oh, no, not to my recollection.

24 Q. Okay. And do you recall on I guess it was Monday
25 when you and I met at Shoreline with James Quirk in his, in his

1 office at Shoreline?

2 A. Uh-huh.

3 Q. We introduced each other?

4 A. Uh-huh.

5 Q. And I asked you if you would, you would give a
6 sample, and what did you tell me?

7 A. Yes.

8 Q. Okay. And --

9 A. You told me it wasn't required. I said, no, I want
10 to take it, let's get that out of the way.

11 Q. And you did actually give the NTSB a sample, is that
12 correct?

13 A. Yes.

14 Q. Okay. And what, what samples did you give the NTSB?

15 A. Blood and urine.

16 Q. Okay. And that was at our request?

17 A. Uh-huh.

18 Q. I'm going to let Walt Schedel ask some questions now.

19 MR. TURRELL: Walter.

20 SGT. SCHEDEL: Thank you, gentlemen.

21 BY SGT. SCHEDEL:

22 Q. (indiscernible) more sleep than --

23 A. I didn't last night.

24 Q. Not -- nobody is out to get you here or anything, but
25 we've just got to clear up some things. One of the questions

1 that came up was what your position was exactly in the boat. I
2 know where you operate from the little control station.

3 A. Uh-huh.

4 Q. Were you seated?

5 A. Yes, I always sit, yeah.

6 Q. Okay. You mentioned earlier the other day too that
7 you even talk to the passengers and joke around and --

8 A. Yeah, well, we have a certain narration we do, but --

9 Q. Do you --

10 A. -- especially with the senior citizens, I have a lot
11 of fun with them, and --

12 Q. Was there, was there any passenger onboard that day
13 that you interacted with more than any other or --

14 A. Not really, no.

15 Q. Like you know one sitting in the back row or
16 something.

17 A. No. I didn't have personal conversations. Every
18 conversation was over the PA system.

19 Q. Over the PA.

20 A. Yes.

21 Q. Going back to the actual time of the event, when did
22 you first notice the wake that overtook you? Was it when you
23 were already engaged in your turn?

24 A. I was sort of looking and going like that with my
25 left hand on the wheel, and it was right there.

1 Q. And it was -- so it was --

2 A. Yeah.

3 Q. -- did you --

4 A. Like I say, this whole thing happened in seconds.

5 Q. So now when you looked back over your shoulder to
6 check for traffic before you made your turn and --

7 A. Always do that.

8 Q. So it would be fair to say that this wake caught you
9 by surprise?

10 A. Yes, it did.

11 Q. And at that point, you were just beginning your turn.
12 In other words, you were still headed straight into the bay and
13 hadn't made the turn out around the point at that --

14 A. No.

15 Q. -- that point --

16 A. I had just started on the wheel. I don't even know
17 if the boat responded that quick to start turn itself.

18 Q. Okay. I think Morgan has pretty much covered that,
19 but as far as your engine checks go, on this particular boat
20 you opened the hatch, the main engine hatch --

21 A. Well, the --

22 (Simultaneous speakers.)

23 A. You can check two checks right from there.

24 Q. Okay. Then you opened the aft hatch --

25 A. And go down --

1 Q. -- down --

2 A. -- the transmission --

3 (Simultaneous speakers.)

4 A. -- another dipstick type situation.

5 Q. Okay. And, and the forward compartment you didn't
6 check?

7 A. I didn't check, no.

8 Q. And that's not something you normally check on?

9 A. No, because we've never found anything in there but
10 maybe a little bit of rain water leakage, that's all.

11 Q. Now did -- at night are the boats usually left with
12 the windows down or are they always left open?

13 A. I will pull -- it depends on who ran it. If I know
14 the weather report, they say we're going to get heavy rains
15 or -- wind at night, and if I had the -- I'll put them down.

16 Q. Okay.

17 A. Because if I don't, and I'm the first one in the
18 morning, I'm the one that has to dry those seats.

19 Q. Good point.

20 A. Yeah. But we have some guys that don't do that,
21 but --

22 Q. Okay. And as far as you know, if there was water in
23 the forward compartment, that would run through common bilge or
24 is there a separate -- do you have to pump the forward
25 compartment --

1 A. No, you don't have to pump the -- that does run back
2 to the -- I believe. Doesn't it? Maybe it doesn't. No. But
3 I've never had to pump it.

4 Q. Never had to.

5 A. Never had to. It never -- take in water other than
6 that little bit of rainwater. And I'm not talking like inches
7 and inches of rainwater. I'm just, you know, little puddle,
8 cup full or something.

9 Q. At what point would it -- when you're seeing some
10 water in the bilge -- it's kind of (indiscernible) to have some
11 water in the bilge. You've got a little bit of --

12 A. Right.

13 Q. -- at what point would you call somebody to come and
14 pump that out? Maybe when there was an inch of water, maybe
15 two inches?

16 A. A good inch, yeah. We don't use the bilge pumps on
17 the boat because they pump out the --

18 Q. Right.

19 A. -- and then you don't know what's in that water, if
20 it's oil or coolant, which is antifreeze in this case. We
21 don't in the lake, no way.

22 Q. So you would say, if it was more than one inch or if
23 it was more than two inches?

24 A. I'd say more than two you could start seeing it --

25 Q. Seeing it on --

1 A. -- come up on the side of the -- you can see it
2 visually on the side of the engine. If I can see that, I'll
3 want to pump. But again, even if it looks clear, I wouldn't
4 use the bilge pump on the --

5 Q. Oh --

6 A. -- because it's -- I wouldn't drink that water -- and
7 we do drink Lake George water, so I don't want anybody else to
8 (indiscernible) that either.

9 Q. When we talked about training the other day, last
10 week, you mentioned that there is annual training for
11 emergencies on a bigger boat.

12 A. On the bigger boat.

13 Q. And --

14 A. Both Man Overboard and fire drills on --

15 Q. I believe you indicated at that time that you don't
16 actually do any real training on the 40-footers?

17 A. No. We don't, other than pointing out to people
18 where the life preservers are. We are trained, but I mean we
19 don't --

20 Q. Yes, you're trained in the operation --

21 A. Yeah.

22 Q. Is there a spring drill or an annual drill about
23 going out on the lake?

24 A. No. Usually if we get a new captain, one of the
25 senior captains will go with him and show him what has to be

1 done before you leave, again the engine checks, check your
2 exhaust, make sure the water pump, that sort of thing, function
3 properly. There isn't really on those small ones, there's not
4 that much to check, you know.

5 Q. As far as other boat, boating traffic in the area,
6 you said the other day that you didn't see a lot of boats, but
7 there were a lot of boats out for the time of year. Could you
8 just kind of clarify that or --

9 A. Yeah. I -- since it was a beautiful day, I wouldn't
10 say the lake was busy really, and I recall in that little bay
11 before Cramer Point, there were a few boats sitting there.
12 What they were doing, I have no idea. And I saw the Mohican
13 pass me. It was a good day for boating, let's face it. Maybe
14 the people just weren't (indiscernible) the camp owners and
15 whether or not they didn't have the boats out. All of a sudden
16 they came out of nowhere.

17 (Simultaneous speakers.)

18 A. God bless them, you know.

19 Q. And as far as anything that you're aware of as far as
20 company policy goes for guidelines on crew requirements or
21 duties, any kind of training they have to do, are you aware of
22 anything like that?

23 A. No. Usually the captain, if you have somebody with
24 you, he'll tell you why he's there or you'll tell him why he's
25 there, what the reason is.

1 Q. Okay. As far as you know, there's nothing written?

2 A. No.

3 Q. Okay.

4 A. But I have to say this in all honesty. If they had
5 somebody with me, one of our people, he wouldn't have been able
6 to do a thing. He would have gone in (indiscernible) just as
7 fast as all of us, I think --

8 Q. Yes.

9 A. -- he could have done either so.

10 Q. Okay. Just in the last interview you, Richard, you
11 mentioned -- I asked you about the New York State inspections,
12 and you said they would come onboard and point out any
13 deficiencies and they would be repaired, and you gave a
14 specific example about exhaust, like exhaust pipe being
15 repaired. Do you have any knowledge about the -- any
16 difficulties with the exhaust pipes on these boats being
17 needing repairs?

18 A. No, I, I -- I'm not qualified to tell you what it
19 was. I remember one of the mechanics said they fixed the
20 exhaust pipe on it. I'm sure Jim could answer that question
21 better. This was earlier this past year, I think, this past
22 season.

23 Q. Okay. Do you remember who that mechanic might be
24 offhand?

25 A. No.

1 Q. Okay. Okay. All right I -- we just caught that
2 particular comment from the interview. I just was interested.
3 Do you wear a uniform while you're operating the boats and
4 you're an employee?

5 A. Yes.

6 Q. Okay.

7 A. White slacks and white shirt.

8 Q. Okay.

9 A. Yeah.

10 Q. And the bilge pump, do you -- when you need to pump
11 the bilges and you say that, you know, you don't pump in the
12 lake, and we thank you for that.

13 A. No, I wouldn't.

14 Q. When was the last time you recall actually operating
15 the bilge pump on the Ethan Allen?

16 A. The mechanic or the one -- on the boat?

17 Q. Yes.

18 A. Never. Not any of (indiscernible).

19 Q. Okay.

20 A. As I stated, they get one of these plastic five-
21 gallon buckets --

22 Q. Sure.

23 A. -- either with a -- used to have a bucket with a lid
24 on it and a little pump, electric pump. You had to plug that
25 in (indiscernible) but a lot of times it was not that much.

1 They have those hand-pumps.

2 Q. Sure.

3 A. Into the bucket.

4 Q. Okay. Do you recall that day if the boat was ever --
5 was down by the head or had a list on it when you loaded the
6 boat? Do you recall when you -- you're back (indiscernible)
7 but once you got on your way, do you recall the boat being down
8 by the head or having a list?

9 A. It didn't have a list. I know that.

10 Q. Okay.

11 A. It's strange, you've got seats for three on one side
12 and seats for two on the other.

13 Q. Okay.

14 A. And me on the other. I don't weigh that much, but it
15 -- for some reason it balances itself right out.

16 Q. Okay.

17 A. Yeah.

18 Q. And do you recall the boat being down by the head at
19 all?

20 A. If it was, I don't -- I didn't notice it.

21 Q. Okay.

22 A. What we'll do if we -- people off the street,
23 everybody wants to -- I go the left side is the shore side.
24 When you tell them that -- everybody is sitting on that side.
25 Well, I won't leave. Folks, I've got to have about four people

1 on the starboard side to balance the boat.

2 Q. Sure. But that was a full boat that day.

3 A. That was a full boat.

4 Q. So --

5 A. I didn't have to. For some reason because there were
6 enough people on the -- maybe it was just because of their
7 weight.

8 Q. Okay.

9 A. Or what, you know.

10 Q. So you didn't notice either a list or --

11 A. No. I would not have left if the boat was like
12 leaning over. I don't like to drive them like that. It's like
13 driving a car with two flat tires on the same side, you know,
14 your car's going down the road like that.

15 Q. Do you recall if the boat was down to the stern at
16 all?

17 A. No.

18 Q. So the boat was basically level on two planes?

19 A. Basically, yeah.

20 Q. Okay. And how often do you recall taking charters --
21 we asked this before, and trying to get an idea of how often
22 these boats go out with over 40, over 40 passengers, and we're
23 trying to understand --

24 A. Usually just bus charters.

25 Q. Okay.

1 A. And --

2 Q. How often per week during the summer do you get those
3 charters?

4 A. We don't get near as many as we get in the early
5 spring and definitely fall.

6 Q. So there's more in the spring and fall?

7 A. Yeah.

8 Q. And less in summer.

9 A. Less in the summer. I can't give you a number. I'd
10 have to check with our office on that.

11 Q. Okay.

12 A. I think I had a couple during the summer, July and
13 August.

14 Q. Okay.

15 A. It's basically the fall (indiscernible).

16 Q. Okay.

17 MR. TURRELL: Sean. Sean Quirk.

18 MR. S. QUIRK: Sean Quirk with Shoreline Cruises.

19 BY MR. S. QUIRK:

20 Q. You're saying you went 10:30 to 11:30 on a cruise.

21 A. Yeah. I believe I had a very few people. I can't
22 give you exact number, but it wasn't --

23 Q. Now were there other cruises that day in between your
24 11:30 and your 2:30?

25 A. No. Because I was the opening man. You're alone

1 until noon, then what we call the seaman, which I think was
2 Bill Perry, because he had the second bus, so he would have
3 been there for it. He comes in at noon, and he closes. I
4 open. He closes -- or whoever the seaman is who came in.

5 Q. Okay. He used the other boat?

6 A. He used de Champlain.

7 Q. De Champlain. Okay.

8 MR. TURRELL: Matt Quirk.

9 MR. M. QUIRK: Matt Quirk from Shoreline.

10 BY MR. M. QUIRK:

11 Q. How long does it take you to get from the Shoreline
12 dock to that point just south of Cramer Point?

13 A. Where the accident occurred?

14 Q. Yeah.

15 A. Oh, between 20 and 25 minutes. Usually about -- I
16 like to time it so it's about 25 minutes. That gives me time
17 to swing around Cramer and go into Green Harbor slowly five
18 miles an hour. I normally take them all the way down, if I
19 have the time, and around the bay and come back out.

20 Q. Okay. And how long does it usually take the Mo to
21 come up for that time from the pier to that point?

22 A. Usually -- put it this way. He usually passes me
23 when he goes out on that Paradise Bay cruise.

24 MR. TURRELL: The Mohican. I'm sorry. We're just
25 referring to the Mohican.

1 MR. M. QUIRK: Oh, I'm sorry.

2 MR. PARIS: If I'm out on the lake when he leaves,
3 probably no more than 20 minutes that he's gone by me. Maybe
4 about 20 minutes.

5 BY MR. M. QUIRK:

6 Q. All right, and then if he's side-by-side laterally to
7 your boat, how long do you think it takes for the wave to catch
8 up to you?

9 A. Depends on how far out on the lake. He's usually out
10 farther because he's on a tight schedule to get up to Paradise
11 Bay -- Paradise Bay and back. He comes down the east shore.
12 So he, he goes right along. I'm not saying wide open, no.

13 Q. But on average -- I know it's a difficult question
14 because it depends how far away from your boat he is --

15 A. Right.

16 Q. -- the lake, but when he travels past you, about how
17 many minutes do you think it takes for that wake to even get
18 over to your boat?

19 A. I'd say a good five minutes because I'm close to the
20 shore and he's out there.

21 Q. Yeah.

22 A. Five to 10. It's hard to say how far out he is, you
23 know.

24 Q. It's not an easy question. I just wanted some
25 estimation of what you thought is your experience on the --

1 okay, thanks Dick. That's all I have.

2 MR. TURRELL: Jim Quirk.

3 MR. J. QUIRK: Thank you.

4 BY MR. J. QUIRK:

5 Q. Dick -- Jim Quirk from Shoreline. Dick, in your
6 estimation that day, you indicated there were very few boats
7 south of Cramer's Point in there, and those boats that were
8 there were either at anchor or just stationary.

9 A. They were just sitting there, drifting around. I
10 think catching some sun. There weren't that many out around
11 the main lake.

12 Q. Did you see, did you see at any time any other boat
13 that could have made a wake that caught you by surprise?

14 A. I never, I didn't see one.

15 Q. Okay.

16 A. I'm not saying there wasn't one, but I did not see
17 it.

18 Q. Okay. In your estimation, is there any other boat on
19 the lake that could throw a wake like that?

20 A. None that I know.

21 Q. You --

22 A. In fact I've heard a lot of comments that people who
23 own property on the lake they, they hate that boat because it
24 bounces their boats even if they're tied up at their docks
25 those boats sit there and rock all over the place. That's why

1 a lot of them got those lifts. They lift them out of the
2 water, and that's the reason they do it so the boats didn't get
3 knocked around.

4 Q. All right, Dick, thank you.

5 MR. S. QUIRK: I have one more.

6 MR. TURRELL: Sure. Sean Quirk.

7 BY MR. S. QUIRK:

8 Q. Talking about the Ethan Allen, when you left no list.
9 You were saying there wasn't any list to the north and you
10 didn't really notice the bow down.

11 A. It might have been down some, but from where I'm
12 sitting it wasn't that noticeable.

13 Q. In your experience having 40 plus people on it, what
14 happens to the boat with that much weight?

15 A. It -- in --

16 Q. Respect to how -- water line.

17 A. I can't remember ever looking at the waterline to see
18 if the boat was below, the hull was below the waterline or the
19 waterline was still up above the -- I would think it would take
20 quite a lot of people to put that waterline below the surface
21 because it (indiscernible) higher -- there's the waterline,
22 then there's more white on the hull if it's sitting right,
23 riding right, and it might be down to the waterline, but I
24 can't imagine that boat being below the waterline just sitting
25 there at the dock.

1 MR. S. QUIRK: That's it.

2 MR. TURRELL: Walter.

3 SGT. SCHEDEL: Yeah.

4 BY SGT. SCHEDEL:

5 Q. It just came to me because we keep talking about half
6 hours or half past the hour when we're talking about departure
7 times, they keep popping up there. That's a normal time for
8 departure on your one-hour cruises on the, on the half hour,
9 the bottom half of the hour or, or do they start at the --

10 A. Well, now we're talking about our summer schedule
11 when there's two of us working one-hour cruise. Now whoever --
12 it's usually me, opens.

13 Q. Right.

14 A. And my first cruise is 10:30 to 11:30. Then I do
15 what we call turnaround, 11:30 to 12:30. Then my next one is 1
16 and 2:30 to 3:30 and I'm finished.

17 Q. Okay.

18 A. -- half hour --

19 Q. But the cruises generally start at the bottom of the
20 hour?

21 A. Well, my shift, well, the opening man's shift does,
22 but when the, the -- what we call the B or C man, he's the
23 closing man, he, he -- his first cruise is at 12.

24 Q. At 12.

25 A. He'll do a 12 to 1, then 1:30 to 2:30. In other

1 words, he's out when I'm in.

2 Q. Uh-huh.

3 A. Staggered. Two of us aren't going out or coming in
4 at the same time.

5 Q. Okay. So it's common to have a cruise that would
6 depart at 2:30?

7 A. Let me see, 12 to 1, 1:30 to 2:30. No. His next one
8 would be three.

9 Q. Yeah, but would your --

10 A. Oh, I would do a 2:30. That would be my last cruise
11 for the day, 2:30 to 3:30.

12 Q. So would it be fair to say that, you know, being as
13 you're generally leaving at or about 2:30, granted you're
14 couple of minutes either way depending on, you know, how long
15 it takes to load passengers and what have you.

16 A. Right.

17 Q. But the Mohican, his 2:30 cruise will pass you
18 roughly the same, same location on the lake each time?

19 A. Pretty close, if he leaves on time or I leave on
20 time.

21 Q. Right.

22 A. You know, like you say there is a variance there.

23 Q. Yes.

24 A. Yeah. Sometimes I'm out getting out of the five-
25 mile-an-hour zone before he even backs out; and if I'm a little

1 late, they're still selling tickets, so I'll hold, you know, to
2 get some more people.

3 Q. Would, would --

4 A. And he's --

5 Q. -- it be common for the Mohican's wake to catch up
6 with you or overtake you in that Cramer's Point area or was
7 that a fluke that day?

8 A. That was a fluke really.

9 Q. Because it is not normally --

10 A. No. Usually I catch his wake down around just north
11 of Tea Island. If he -- and we both leave on the same time
12 when we're scheduled to leave.

13 Q. Uh-huh. And just out of curiosity, you ended your
14 first cruise at 11:30 and you didn't start your second cruise
15 until 2:30. What did you do for three hours?

16 A. I can't remember if I had another cruise after that
17 10:30.

18 UNIDENTIFIED SPEAKER: I can't remember either, but
19 he may have had a turnaround cruise at 11:30.

20 BY SGT. SCHEDEL:

21 Q. May have had 11:30?

22 A. I did, turnaround cruise. I did. I went out again.
23 That was the --

24 Q. You did go out --

25 A. The opening man does a turnaround. What we call

1 turnaround. I'm (indiscernible) I did, yeah.

2 Q. Do you recall well, I -- do you have any idea how
3 many people might have been on that? Was it bigger maybe than
4 the morning?

5 A. I think it might have been a few more, but not a big.

6 Q. Okay.

7 BY MR. TURRELL:

8 Q. Richard, when you maneuver the boat with 40 persons
9 onboard, how is it different than when you maneuver the boat
10 with say a handful, 5, 10 people?

11 A. There's not really a difference in steering. I've
12 noticed when I come in from the dock, you know, of course we
13 use, you know, we use reverse for brake. If you've got a full
14 load, you've got to go into reverse a little quicker. And the
15 reason for that is we have a boat in front of it, the
16 Algonquin, and that's not that long -- when they're tied, both
17 tied up, there's only about that much space between them. We
18 certainly don't want to slam into the stern of the Algonquin.
19 So I, I use it a little bit, you know, if you see -- you're not
20 going to -- you're going to stop before you get to the steps,
21 take it out maybe, just tape it forward a little bit to just
22 pick it up to the steps and reverse again, hold it there at the
23 steps.

24 Q. And when you make turns in particular a right turn or
25 a left turn that's more than usual like going around Tea

1 Island, do you notice the boat having a change in roll at all?

2 A. No, none. That's all five-mile an hour too.

3 Q. Okay. So when you're going a little faster, do you
4 notice any roll --

5 A. Not really, no. The only thing that would roll are
6 waves.

7 Q. And when you, when you get hit by a wave with 40
8 persons as opposed to 20, do you find the boat responded
9 differently when you're fully loaded --

10 A. -- will take the waves better.

11 Q. Okay. So when you're loaded, it takes the wave
12 better?

13 A. Oh, yeah, no question.

14 Q. And how is that -- going back to the moment of the
15 accident, normally when you're loaded it takes the wave better
16 and now suddenly something is different. What in your mind --

17 A. It was a big wave.

18 Q. Bigger wave.

19 A. Yes.

20 Q. So that's --

21 A. I'm talking normal boat traffic.

22 Q. Okay.

23 A. And, well, that wave was not a normal boat -- or wave
24 for a --

25 Q. Okay. And can you estimate -- did you see the

1 Mohican go by by chance?

2 A. I remember him going by me, but then I -- my
3 attention was back to the people. Right up in that area
4 passing a lot of things that you point out to them.

5 Q. Sure. Do you recall if he was going -- how far, how
6 far away he was when he passed by? Was it a normal distance he
7 passed by?

8 A. Normal, but again he doesn't take the exact route up.
9 Sometimes he might be a little closer to shore, not anywhere
10 near me, and sometimes he might be in the middle of the lake if
11 he's running a little late, you know.

12 Q. Sure. Can you guess, just take a guess, an estimate
13 on how far he was laterally from you when he passed by?

14 A. Let's see, football field is 100 yards. He was
15 farther than that. Maybe closer to 200 yards off my starboard
16 side, hundred and a half, whatever.

17 Q. Okay. And you recall where it was when he passed
18 you, where you were when he passed you?

19 A. Yeah, that was -- I would say I was roughly off of
20 (indiscernible).

21 Q. Okay.

22 A. Or State Campground, Hearthstone, somewhere in that
23 area.

24 Q. Okay.

25 A. But I did not see him after that, because I went in

1 closer -- Cramer Point coming up. He goes around that of
2 course. I, I -- you know, he's gone. I can't see anything
3 around the point until I get out there.

4 Q. Sure.

5 MR. TURRELL: Let's go around one more time. Jim,
6 any questions?

7 MR. J. QUIRK: No, I don't have any more.

8 MR. TURRELL: Matt?

9 MR. M. QUIRK: No.

10 MR. TURRELL: Sean?

11 MR. S. QUIRK: No.

12 MR. TURRELL: Walter?

13 SGT. SCHEDEL: No.

14 MR. TURRELL: Kevin, if you have any comments at this
15 point, clarifications?

16 MR. HICKEY: No comments.

17 MR. TURRELL: Okay. Excuse me, one last question.
18 It's an open-ended question. This will probably be the last
19 opportunity for the NTSB to take any statement from you in
20 person, and just like to give you the opportunity to tell us
21 anything before we end the interview. Anything you'd like to
22 add or we didn't cover you'd like to volunteer?

23 MR. PARIS: Well, I don't like to throw another boat
24 in, but me like a lot of people familiar with that lake know
25 the Mohican puts out the biggest wake on that list. There's no

1 question about that. Even people as they say in their own
2 camps and homes on the lake. They're not happy with the wake
3 that boat puts out, and I have never seen another boat -- I've
4 gotten some pretty good-sized wakes, but they were from
5 cruisers that a lot of them when they slow down, not going too
6 fast, their stern is way down, as I think I mentioned before,
7 that sort of counteracts the five-mile-an-hour speed zone
8 because they're down. They put out a bigger wake unless they
9 get up -- faster and get up on plane a little better. And I've
10 seen a few of those that I've cut into, but very seldom. But
11 they will do it. I see it a lot.

12 MR. TURRELL: Okay. Anything else?

13 MR. PARIS: I can't think of anything else offhand.

14 MR. TURRELL: Okay. If you would just acknowledge
15 this being recorded, and we'll end the interview.

16 MR. PARIS: I acknowledge this whole conversation has
17 been recorded.

18 (Whereupon, the interview of Richard Paris was
19 concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: Investigation of MV Ethan Allen
 Lake George, New York
 October 2, 2005
 Interview of Richard Paris

DOCKET NUMBER: DCA 06 MM 001

PLACE: Lake George, New York

DATE: October 11, 2005

was held according to the record, and that this is the
original, complete, true and accurate transcript which has been
compared to the recording accomplished at the hearing.

Katherine Motley
Transcriber